

United States District Court

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SOUTHERN

DISTRICT OF

NEW YORK

U.S. DISTRICT COURT
S.D.N.Y.

NOTA PUBLISHING, INC., et al.

additional Plaintiffs listed on Exhibit A attached
hereto

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

XM SATELLITE RADIO INC.

07 CIV 4682

TO: (Name and address of defendant)

XM SATELLITE RADIO INC.
c/o Corporation Service Company
80 Albany Street
Albany, NY 12207-2543

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

CHRISTOPHER LOVELL
LOVELL STEWART HALEBIAN LLP
500 FIFTH AVENUE, 58TH FLOOR
NEW YORK, NEW YORK 10110

an answer to the complaint which is herewith served upon you, within 20 (twenty) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

Marcos Quintero

(BY) DEPUTY CLERK

DATE

JUN 01 2007

AFFIDAVIT OF SERVICE ON A CORPORATION THROUGH
THE SECRETARY OF STATE, NEW YORK

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF THE STATE OF NEW YORK

X

NOTA PUBLISHING, INC. et al.
ADDITIONAL PLAINTIFFS LISTED ON ATTACHED EXHIBIT A

Case Number: 07 CV 4682

-against-

XM SATELLITE RADIO, INC.

Defendant

STATE OF NEW YORK]
COUNTY OF ALBANY] ss.:

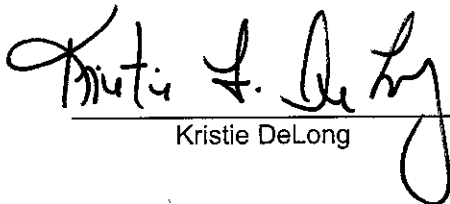
Kristie DeLong, being duly sworn, deposes and says that she is over eighteen years of age; that on the 13TH day of June, 2007, at the Department of State in the City of Albany, New York, she served the Annexed Summons and Complaint along with instructions for electronic filing in United States District Court and the individual practices of Judge Deborah A. Batts upon **XM SATELLITE RADIO, INC.** by delivering to and leaving with Amy Lesch, a Business Document Specialist, in the Office of the New York Department of State two (2) copies thereof and that at the time of making such service, deponent paid Secretary of State a fee of \$40.00. That said service was made pursuant to Section 306 of the Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be a Data Entry Machine Operator at the New York State Department of State, duly authorized to accept such service on behalf of said defendant.

Other identifying features:

Deponent further states that she describes the person actually served as follows:

Sex	Skin Color	Hair Color	Approx Age	Approx Height	Approx Weight
Female	White	Brown	35	5'7"	175 lbs



Kristie DeLong

Sworn to before me this

15 day of June, 2007.

Notary Public

GERTRUDE B. WINTER
Notary Public, State of New York
No. 01WI5050407
Qualified in Saratoga County
Commission Expires October 10, 2009